

The Office Action states that the title of the invention is not descriptive. The title has been amended to read as follows: --INFORMATION PROCESSING APPARATUS AND METHOD THAT DETERMINES THE PRESENCE OR ABSENCE OF A PRINTER CONNECTED TO A NETWORK, AND STORAGE MEDIUM STORING PROGRAM THEREFOR--. Applicant respectfully submits that the title, as amended, is clearly indicative of the invention to which the claims are directed.

Claims 45-65 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has carefully reviewed and amended independent Claims 45, 48, and 51, as deemed necessary, with special attention to the points raised in section 4 of the Office Action. In particular, the independent claims have been amended to state that a presence or an absence of a printer connected to a network is determined by sending an inquiry about information to the network. In view of the amendments to the independent claims, Applicant submits that all the pending claims are sufficiently definite, and respectfully requests withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

Claim 46 stands rejected under 35 U.S.C. § 112, first paragraph, on the alleged grounds that the phrase "determination circuit" lacks antecedent basis. Claim 46 has been amended to change "determination circuit" to --determiner--, which makes it consistent with Claim 45, and to state that a presence or an absence of a new printer connected to the network is determined by inquiring about management information base (MIB) information. Support for this change is set forth in the specification at, for example, page 18, lines 3-9. Accordingly, Applicant submits that there is sufficient antecedent basis of the features of Claim 46, and

respectfully requests withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

The Office Action rejected Claims 45-65 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,228,118 (Sasaki) in view of U.S. Patent No. 5,580,177 (Gase et al.). Cancellation of Claims 47 and 50 renders their rejections moot. Applicant submits that independent Claims 45, 48, and 51, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 45 is directed to an information processing apparatus. The apparatus includes a determiner, an inquirer, and a receiver. The determiner determines a presence or an absence of a printer connected to a network by sending an inquiry about information to the network. If the determiner determines the presence of the printer connected to the network, the inquirer makes an inquiry about a printer language supported by the printer. The receiver receives information about the printer language supported by the printer, and the information is sent in response to the inquiry.

One important feature of Claim 45 is that the information processing apparatus determines a presence or an absence of a printer connected to a network by sending an inquiry about information to the network. By virtue of this feature, the apparatus is able to directly discover a printer connected to the network, such that a file server is not necessary. For example, when the apparatus sends an inquiry about a network address of a printer to the network, if there is a response that includes the network address, the apparatus is able to determine the presence of the printer connected to the network.

Sasaki, as understood by Applicant, relates to a printing system in which a data

processor selects a printer driver compatible with an interpreter, based on interpreter-identification data sent from a printer. Gase et al., as understood by Applicant, relates to a printer/client network that centrally updates printer drivers and monitors their status.

Applicant submits that a combination of Sasaki and Gase et al., assuming such combination would even be permissible, would fail to teach or suggest an information processing apparatus that includes "a determiner adapted for determining a presence or an absence of a printer connected to a network by sending an inquiry about information to the network," as recited in Claim 45.

In the Office Action, it is conceded that "Sasaki does not teach a determiner adapted for determining a presence or an absence of a printer connected to a network by inquiring information of the network." The Office Action then cites Gase et al. (at column 1, lines 43-48) for teaching that a determiner "determines the presence of the new added printer connected to the network (i.e., if a new printer is added or connected to the network, a new printer driver must be installed on the client host computer, so that the client will be able to use or print on the newly added printer)."

Applicant submits, however, that the cited portion of Gase et al. merely discloses that if a new printer type is added to a site, each client computer must be informed of the network configuration change and a new printer driver must be installed on the client computers for the new printer type. The cited portion is not understood to disclose or suggest "determining a presence or an absence of a printer connected to a network by sending an inquiry about information to the network. In fact, the cited portion of Gase et al. is understood to teach

that a client computer must be told when a new printer is added, but does not suggest that the client computer make any inquiry as to the presence or absence of a printer. Thus, the Gase et al. network requires a file server 16, which is essential to inform the client computer of a network configuration change. This, however, is not equivalent to or suggestive of determining a presence or an absence of a printer connected to a network by sending an inquiry about information to the network, as claimed in Claim 45.

Accordingly, Applicant submits that Claim 45 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 48 and 51 are method and storage medium claims corresponding to Claim 45, and are believed to be patentable for at least the same reasons as discussed above.

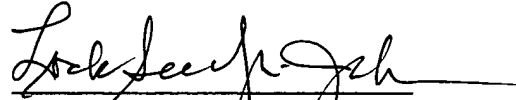
The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant

LOCKSBEE H. JAMES

Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 254961 v 1



VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

45. (Twice Amended) An information processing apparatus comprising:
a determiner adapted for determining a presence or an absence of a printer
connected to a network by [inquiring] sending an inquiry about information [of] to the network;
an inquirer adapted for making an inquiry about a printer language supported by
the printer connected to the network if said determiner determines the presence of the printer
connected to the network; and
a receiver adapted for receiving information about the printer language supported
by the printer, wherein the information about the printer language is sent in response to the
inquiry.

46. (Amended) The apparatus according to claim 45, wherein said [determination
circuit] determiner determines [the] a presence or [the] an absence of [the] a new printer
connected to the network by inquiring about management information base information to the
network.

Claim 47 has been canceled.

48. (Twice Amended) An information processing method comprising the steps
of:

determining a presence or an absence of a printer connected to a network by
[inquiring] sending an inquiry about information [of] to the network;
making an inquiry about a printer language supported by the printer to the printer
connected to the network if said determining step determines the presence of the printer
connected to the network; and
receiving information about the printer language supported by the printer, wherein
the information about the printer language is sent in response to the inquiry.

49. (Amended) The method according to claim 48, wherein said determining step
determines [the] a presence or [the] an absence of [the] a new printer connected to the network
by inquiring about management information base information to the network.

Claim 50 has been canceled.

51. (Twice Amended) A computer-readable storage medium for storing a
program for implementing an information processing method, the program comprising:
code for determining a presence or an absence of a printer connected to a network
by [inquiring] sending an inquiry about information [of] to the network;
code for making an inquiry about a printer language supported by the printer to
the printer connected to the network if said code for determining determines the presence of the
printer connected to the network; and

code for receiving information about the printer language supported by the printer, wherein the information about the printer language is sent in response to the inquiry.

52. (Amended) The medium according to claim 51, wherein said code for determining determines [the] a presence or [the] an absence of [the] a new printer connected to the network by inquiring about management information base information to the network.

NY_MAIN 279851 v 1